

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA

Criminal No.: 2:22-cr-643 (BHH)

v.

MATTHEW DONALD KELLY

ORDER

This Court held hearings on June 9 and 16, 2023, to determine under 18 U.S.C. § 4243 whether Defendant Matthew Donald Kelly suffers from a present mental disease or defect that would create a substantial risk of bodily injury to another person or serious damage of property of another. After carefully considering the evidence before the Court, including the Forensic Pathological Report filed at ECF No. 70 along with the video testimony of Dr. Melissa Klein, the Court finds that Defendant has met his burden under 18 U.S.C. § 4243(d) of proving by clear and convincing evidence that his release would not create a substantial risk of bodily injury to another person or serious damage of property of another due to a present mental disease or defect. Accordingly, the Court hereby ORDERS that Defendant Matthew Kelly be immediately discharged from custody with no conditions, and the above-captioned case is hereby terminated.

IT IS SO ORDERED.

/s/ Bruce H. Hendricks
UNITED STATES DISTRICT JUDGE

June 16, 2023
Charleston, South Carolina